



THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
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March 13, 2017

**BY ECF**

Hon. Roslynn R. Mauskopf, U.S.D.J.  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Javon Llewellyn v. City of New York, et al., 15 CV 07182 (RRM) (JO)

Your Honor:

I am a Senior Counsel in the Office of Zachary W. Carter, Corporation Counsel of the City of New York, and the attorney representing the defendants in the above-referenced matter. I write jointly with Plaintiff's counsel, Afsaan Saleem, Esq., to provide the Court with an update regarding that status of summary judgment proceedings. Pursuant to the Case Management and Scheduling Order entered on January 10, 2017 by Magistrate Judge James Orenstein (Dkt. 23), the process for dispositive motion practice was to commence no later than today, March 13, 2017. The parties have conferred and have reached an agreement that obviates the need for any motion practice. Thus, in lieu of litigating defendants' anticipated motion, plaintiff has agreed to withdraw his First, Fourth, Fifth, Sixth, Seventh and Ninth Claims (Compl. ¶¶ 35-37, 48-68, 73-79) and proceed to trial only on his Second, Third, and Eighth Claims (Compl. ¶¶ 38-47, 69-72).

Thank you for your consideration in this regard.

Sincerely,

/s/  
Jeffrey Loperfido  
*Senior Counsel*

cc: All Counsel (by ECF)